

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

LOAN ORDER
(2022 MSBA Accelerated Repair Program)

To borrow Two Hundred and Fifty Thousand and 00/100 (\$250,000.00) Dollars for the purpose of paying costs of architectural and engineering services related to various school improvement projects, more fully described below,

IT IS ORDERED BY THE CITY COUNCIL OF THE CITY OF LOWELL BY A TWO-THIRDS VOTE OF ITS MEMBERS, as follows:

Ordered: That the City appropriate the amount of Two Hundred Fifty Thousand and 00/100 (\$250,000.00) Dollars for the purpose of paying costs associated with a feasibility study/schematic design for the projects at the following schools, each located in the City of Lowell, Massachusetts:

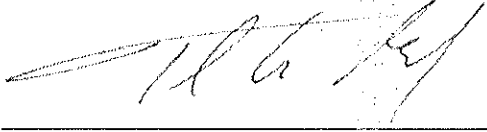
<u>Project</u>	<u>School</u>	<u>Address</u>
Boiler	Benjamin F. Butler Middle School	1140 Gorham Street
Boiler	Bartlett Community Partnership School	79 Wannalancit Street
Boiler	Henry J. Robinson Middle School	110 June Street
Roof	John J. Shaughnessy Elementary School	1158 Gorham Street
Boiler	Joseph McAvinnue Elementary School	131 Mammoth Road

including the payment of all costs incidental or related thereto, and for which the City may be eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of The City Manager or his/her designee. To meet this appropriation the City Treasurer, with the approval of the City Manager, is authorized to borrow said amount under M.G.L. Chapter 44, or pursuant to any other enabling authority; and that the City Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the city authorized by this order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

The City acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any costs the City incurs in excess of any grant that may be approved by and received from the MSBA shall be the sole

responsibility of the City; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the City and the MSBA.

ORDER RECOMMENDED AND INTRODUCED BY:

A handwritten signature in black ink, appearing to read "T. Golden, Jr.", written over a horizontal line.

Thomas A. Golden, Jr.
City Manager

V:MSBA/Loan Order

Gunther Wellenstein
Deputy Director
(Admin & Finance)

MEMORANDUM

TO: Thomas A. Golden Jr., City Manager
CC: Paul St. Cyr, Commissioner, DPW
Conor Baldwin, CFO

DATE: Thursday, December 8, 2022

RE: MSBA Accelerated Repair Project –Loan Order

I am pleased to acknowledge that the Mass School Building Authority (MSBA) voted, at their Oct. 26th Board meeting, to invite Lowell to submit five (5) Schematic Design Studies, as part of their Accelerated Repair Program (ARP).

The ARP is designed to give grants to school districts with qualifying projects to ease the cost burden of repairing or replacing major building systems in three categories, including boilers, roofs, and windows/doors. Like other MSBA programs, the Accelerated Repair Program brings a significant reimbursement for the projects that are accepted, thus achieving strong financial incentives for districts to make needed repairs to their buildings. The reimbursement rate is based on a number of financial and socio-economic factors - Lowell's reimbursement rate is 80%, which means the City is reimbursed 80% of every qualifying dollar it spends on program-related expenses; this will be a major capital infusion into our school buildings.

MSBA Projects – Accelerated Repair Program (ARP) – Loan Order request

B.F. Butler Middle School	Boiler replacement	\$43,500
Bartlett Comm. Partnership School	Boiler replacement	\$43,500
Robinson Middle School	Boiler replacement	\$43,500
Shaughnessy Elem. School	Roof replacement	\$51,150
McAvinnue School	Boiler replacement	\$43,500
	10% Design Contingency	\$22,515
	Request for LOAN ORDER	\$250,000 (rounded)

The MSBA will randomly assign the City an Owner's Project Manager (OPM) and Designer from their pre-selected pools. The City will work with the OPM and Designer throughout the 2023 construction season.

Please do not hesitate to reach out with any further questions or concerns.

Massachusetts School Building Authority

Deborah B. Goldberg
Chairman, State Treasurer

James A. MacDonald
Chief Executive Officer

John K. McCarthy
Executive Director / Deputy CEO

October 26, 2022

Mr. Thomas A. Golden, City Manager
City of Lowell
375 Merrimack Street
Second Floor, Room 43
Lowell, MA 01852

Re: City of Lowell, B.F. Butler Middle School, Bartlett Community Partnership School, Henry J. Robinson Middle School, John J. Shaughnessy Elementary School, Joseph McAvinnue School

Dear Manager Golden:

I am pleased to report that on October 26, 2022, the Board of Directors (the "Board") of the Massachusetts School Building Authority (the "MSBA") voted to invite the City of Lowell (the "City") into the Accelerated Repair Program (the "ARP") to partner with the MSBA in conducting a Schematic Design Study at the B.F. Butler Middle School for a potential boiler replacement project, at the Bartlett Community Partnership School for a potential boiler replacement project, at the Henry J. Robinson Middle School for a potential boiler replacement project, at the John J. Shaughnessy Elementary School for a potential roof replacement project and at the Joseph McAvinnue School for a potential boiler replacement project. The roof replacement project at the B.F. Butler Middle School, the window and door replacement project at the Bartlett Community Partnership School and the roof replacement project at the Joseph McAvinnue School also requested by the City are not included in the invitation.

I do want to emphasize that this invitation to partner on a Schematic Design Study is *not* approval of a project but is strictly an invitation to the City to work with the MSBA to explore potential solutions to the building needs that have been identified. Moving forward in the MSBA's ARP process requires a partnership with the MSBA, and communities that "get ahead" of the MSBA without MSBA approval will not be eligible for grant funding. To qualify for any funding from the MSBA, local communities must follow the MSBA's statute, regulations, and policies, including the ARP requirements, which require MSBA partnership and approval at each step of the process.

The ARP will focus on the preservation of existing assets by performing energy-efficient and cost-saving upgrades, which will result in direct operational savings for school districts. Districts that are invited into the ARP will be required to use Owner's Project Managers and Designers who are pre-selected and randomly assigned by the MSBA and must also adhere to other

October 26, 2022

Lowell Invitation to Accelerated Repair Program Board Action Letter

requirements that are unique to this program, such as implementing an accelerated project schedule and complying with the MSBA's reimbursement dollar thresholds. Districts will be expected to complete a Schematic Design Study and receive authorization for a Project Funding Agreement by the Board of Directors no later than 12 months from Program invitation. Districts seeking reimbursement under the ARP will be allowed to submit requests for reimbursement monthly, but only if the total value of the invoices being submitted equals more than \$50,000.

During the Schematic Design Study phase, the MSBA will partner with the City and its assigned Owner's Project Manager and Designer to find the most fiscally responsible, educationally appropriate and sustainable solution to the building needs identified at the B.F. Butler Middle School, the Bartlett Community Partnership School, the Henry J. Robinson Middle School, the John J. Shaughnessy Elementary School and the Joseph McAvinnue School. If during the Schematic Design Study phase, the City determines that the potential project does not meet the qualifying criteria of the Board's invitation, the City will be required to remove its Statement of Interest and will not be authorized for a Project Funding Agreement for the project. For the 2022 ARP, the qualifying criteria included roofs of 30 years or more (installed in or before 1992), window and door systems of 35 years or more (installed in or before 1987) and boiler systems of 25 years or more (installed in or before 1997).

The City must complete several pre-requisites prior to beginning work with its consultants. Please submit the following information to the MSBA by no later than the date listed below in order to fulfill these pre-requisites:

- a current routine and capital maintenance plan for the City's school facilities, to be submitted electronically using the MSBA web-based tool (submit prior to February 23, 2023); and,
- an Initial Compliance Certification (attachment to this letter) executed by the City to ensure that the City understands and will comply with the MSBA's requirements and regulations (submit prior to February 23, 2023).

The City must approve funding for the Feasibility Study/Schematic Design portion of this potential project within 90 calendar days of the date of invitation into the ARP (January 24, 2023). Submission of the properly certified documentation that the City has appropriated its funding should be submitted to the MSBA prior to February 23, 2023. Future funding for the total project budget will be required within 90 days after the date of the MSBA's approval of the project scope and budget.

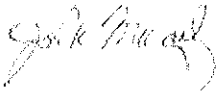
Once the City has completed the pre-requisites listed above according to the MSBA's standards, the MSBA will assign an Owner's Project Manager and Designer using the MSBA's list of pre-selected and randomly assigned consultants for the ARP. In the meantime, I wanted to share with you the Board's decision and provide a brief overview of what this means for the City of Lowell.

I look forward to continuing to work with you as part of the MSBA's Accelerated Repair Program. As always, feel free to contact me or my staff at (617) 720-4466 should you have any questions.

October 26, 2022

Lowell Invitation to Accelerated Repair Program Board Action Letter

Sincerely,



John K. McCarthy
Executive Director

Cc: Legislative Delegation
The Honorable Sokhary Chau, Mayor, City of Lowell
Shawn Machado, Assistant City Manager, City of Lowell
Conor Baldwin, Chief Financial Officer, City of Lowell
Mark Byrne, Interim Public Works Commissioner, City of Lowell
Jackie Doherty, Vice Chair, Lowell School Committee
Dr. Joel Boyd, Superintendent, Lowell Public Schools
Dr. James Hall, Chief Operating Officer, Lowell Public Schools
File: 10.2 Letters

Thomas A. Golden, Jr.
City Manager

December 13, 2022

Mayor Sokhary Chau
And
Members of the Lowell City Council

Dear Mayor Chau and Members of the Lowell City Council,

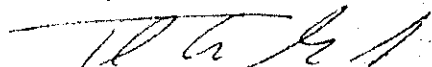
I hereby submit for approval a loan order in the amount of \$250,000 to fund the feasibility study stage of significant building improvement projects at five (5) schools in Lowell. These projects were approved for funding through the Massachusetts School Building Authority's ("MSBA") accelerated repair program ("ARP") on October 26, 2022. According to the enclosed approval letter, the city has sixty days (60) to approve funding for the city's share of the costs for the feasibility study stage.

This vote represents a substantial step forward in an aggressive capital campaign by the city to make much needed repairs to the city's ageing school facilities. This City Council has remained steadfast in its commitment to addressing facility issues in the City, especially in the Lowell Public Schools. These five (5) projects include potential boiler replacements at the B.F. Butler Middle School, the Bartlett Community Partnership School, the Joseph McAvinnue School, and the Henry J. Robinson Middle School; as well as a potential roof replacement at the John J. Shaughnessy Elementary School. The funding will focus on the preservation of existing assets by performing energy-efficient and cost-saving upgrades at the approved sites, resulting in direct operational savings for the city and the school district.

The debt service for this loan order will be calculated into the projections used in formulating the city's five-year capital improvement plan ("CIP"). An additional loan order will be needed to fund the construction phase of the program if the City is invited into the construction phase by the MSBA but it, like this loan order, will be eligible for reimbursement from the MSBA of up to 80% of the cost. A great deal of thanks is owed to our partners at the State, including the State Treasurer's Office and the MSBA, for the opportunity to participate in such a program. Without it, gateway cities like Lowell would be wholly unable to keep pace with the repair costs of ageing infrastructure.

Please let me know if there are any questions.

Sincerely,



Thomas A. Golden, Jr.
City Manager

Cc: Conor Baldwin, Chief Financial Officer